

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ERIC MESI AND BETTY MESI,

Plaintiffs,

vs.

JPMORGAN CHASE BANK et al.,

Defendants.

3:15-cv-00555-RCJ-WGC

ORDER

This case arises out of a disputed property foreclosure. Plaintiffs allege that Defendants have violated numerous state and federal laws by engaging in fraudulent and unfair practices. On November 23, 2015, Plaintiffs requested a temporary restraining order to prevent the trustee sale of Plaintiffs' property scheduled for December 11, 2015. The Court denied the motion on December 11, 2015 because Plaintiffs did not have a reasonable probability of success on the merits of their claims, and they made no arguments that denying their motion would result in irreparable injury (ECF No. 27).

Plaintiffs have asked the Court to reconsider their request for a temporary restraining order based on newly discovered evidence (ECF No. 31). They have provided a notice from Defendant JPMorgan Chase Bank, N.A. ("Chase") dated February 14, 2014 informing Fred Mesi that it would transfer the servicing of his mortgage loan from Chase to Select Portfolio Servicing, Inc. ("SPS") on March 1, 2014. Plaintiffs have provided no further arguments to support their motion.

While the notice to Fred Mesi may or may not increase Plaintiffs' probability of success on the merits of their claims, they have still made no arguments that denying their motion would

1 result in immediate and irreparable injury. Not only have Plaintiffs made no additional
2 arguments to show any alleged injury would be irreparable, but their motion also shows there is
3 no longer any immediate threat of injury. Plaintiffs inform the Court that SPS stopped the trustee
4 sale scheduled for December 11, 2015, and Plaintiffs provide no indication that another trustee
5 sale is currently scheduled. The Court denies the motion.
6

7 **CONCLUSION**

8 IT IS HEREBY ORDERED that the Motion for Temporary Restraining Order (ECF No.
9 31) is DENIED.

10 IT IS SO ORDERED.

11 DATED: This 18th day of December, 2015.

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14 ROBERT C. JONES
15 United States District Judge
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